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PATENT  
97482

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

David Miller et al.

Filed: August 14, 1998

Examiner: C. Dexter

Group Art Unit: 3724



Title:

SAWING APPARATUS AND SAW  
FENCE SYSTEM

Serial No.: 09/134,854

LETTER TO DRAFTSPERSON

Pittsburgh, Pennsylvania 15222  
September 7, 1999

Assistant Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

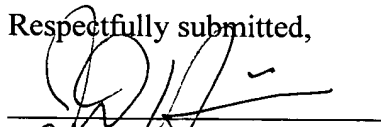
Sir:

Responsive to the Official Action dated June 16, 1998 and in order to place the  
above-captioned application in better condition for allowance, the Applicant respectfully requests

replacement of original Figures 1, 2, 13, 15, and 16 with the enclosed replacement Figures 1, 2, 13, 15, and 16. The Applicant submits that amended Figures 1, 2, 13, 15, and 16 add no new matter.

In particular, in Figures 1 and 2, the arrowhead lead line labeled "62" in the original Figures 1 and 2 has been re-labeled as "65". In addition, in Figure 13, "105" has been depicted with a lead line extending to the rounded cam surface of clamp 104, "104" has been depicted with a lead line extending to clamp 104, and "68" has been depicted with a lead line extending to the inner region at the infeed end 63 of body 62. Further, in Figure 15, "72" and "73" have been depicted with lead lines extending to the side faces of the body 62 and the lead lines labeled "83" and "84" have been depicted ending in an arrowhead. Also, Figure 1 has been further modified to depict numeral "40" with a lead line extending to the rail system. Finally, Figure 16 has been modified to depict numeral "66" with a lead line extending to the attachment mechanism, numerals "77" and "78" with lead lines extending to the channels, numerals "87" and "89" with a lead lines extending to the threaded members, and numeral "100" with a lead line extending to the fastener 100.

Respectfully submitted,

  
\_\_\_\_\_  
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Registration No. 40,300

Attorney for Applicant

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600/3700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Miller et al.

Serial No: 09/134,854

Group No.: 3700

3724

Filed: August 14, 1998

Examiner: C. Dexter

For: SAWING APPARATUS AND SAW FENCE SYSTEM

Assistant Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

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Date of Deposit September 7, 1999

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NOTE: The label number need not be placed in each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

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Attorney's Docket No. 97482

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Miller et al.

Serial No: 09/134,854

Group No.: 3700

Filed: August 14, 1998

Examiner: C. Dexter

For: SAWING APPARATUS AND SAW FENCE SYSTEM

Assistant Commissioner for Patents  
Washington, D.C. 20231

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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

- ☐ a small entity. A verified statement:
- ☐ is attached.
- ☐ was already filed.
- ☒ other than a small entity.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

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☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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Signature

(type or print name of person certifying)

## EXTENSION OF TERM

**NOTE:** "Extension of Time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

**NOTE:** See 37 CFR 1.645 for extensions of time in interference proceedings, and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

**3.** The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (a) or (b), as applicable)

(a) ☐ Applicant petitions for an extension of time under 38 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input type="checkbox"/> three months	\$ 870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00
	<b>Fee \$</b>	-

If an additional **extension** of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

**OR**

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY			OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	44•	MINUS	78••	=0	x9=	\$0		x18=	\$0
INDEP.	4•	MINUS	4•••	=0	x39=	\$0		x78=	\$0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+130=	\$		+260=	\$
					TOTAL ADDIT. FEE	\$0	OR	TOTAL ADDIT. FEE	\$0

- If the entry in Col. 1 is less than entry in Col. 2, write "1" in Col. 3.
- If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20."
- If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, enter "3."  
The "Highest No. Previously Paid for" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING** "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 CFR § 1.116(a) (emphasis added).

Complete (c) or (d), as applicable)

(c) ☒ No additional fee for claims is required.

**OR**

(d) ☐ Total additional fee for claims required \$ \_\_\_\_\_

## FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ \_\_\_\_\_
- ☐ Charge Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_
- A duplicate of this transmittal is attached.

## FEE DEFICIENCY

**NOTE:** *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No.  
7. 11-1110.

## AND/OR

- ☒ If any additional fee for claims is required, charge Account No.  
11-1110.

Reg. No.: 40,300

Tel. No.: (412 ) 355-8259

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY

Jason D. Haislmaier  
\_\_\_\_\_  
(type or print name of attorney)

Kirkpatrick & Lockhart LLP  
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